

REMARKS

This response addresses the Office Action mailed on January 4, 2005. A clean version and a marked-up version of a substitute specification are attached in Appendices A and B, respectively. Appendix C contains a copy of the translated foreign priority document with a certification by the translator on page 78 of the document; and, Appendix D contains a copy of the ATCC International Form Receipt for Patent Deposit Designation PTA-2260 with a signed Statement Assuring Release of Deposit. Claims 1-5 and 24 have been amended as required to correct grammatical and syntax errors and will be pending after entry of this amendment. Withdrawn claims 6-23 have been maintained and amended where necessary for purposes of rejoinder. No new matter has been added.

Priority

An official copy of a translation of the foreign priority document has been provided in Appendix C and, accordingly, the priority date of the instant application will be September 13, 2000, upon acceptance of the priority document.

Applicants verify that the copy of the translation of the foreign priority document is accurate as per MPEP § 201.15 and 37 C.F.R. § 10.18. In addition, a statement by the translator was signed and stamped on April 23, 2005, and is provided on page 78 of the document in Appendix C to certify that the translation is true and complete.

Specification

A substitute specification with all corrections required in the instant office action is attached in Appendix A, and a marked-up version is attached in Appendix B. The substitute specification contains no new matter.

Claim Objections

The claims have been amended to correct grammatical and syntax errors as required in the instant office action.

35 U.S.C. § 112

With regard to claim 4, a deposit was made under the terms of the Budapest Treaty. A Statement Assuring Release of Deposit has been signed by an attorney of record and indicates that the patent deposit is identifiable by designation number PTA-2260 will be irrevocably and without restriction released to the public upon issuance of a patent. The statement is attached in Appendix D with a copy of the ATCC International Form Receipt for Patent Deposit Designation PTA-2260.

35 U.S.C. § 102

Claims 1 and 3 stand rejected under 35 U.S.C. § 102(a) as being anticipated by PCT Publication No. WO 200118052 ("Feng"), published March 15, 2001. Applicants hereby obviate the rejection through the submission of an official copy of a translation of the foreign priority document, as described above. Since the priority date of the instant application will be September 13, 2000, upon acceptance of the priority document, Applicants respectfully request that the rejection to claims 1 and 3 be withdrawn.


CONCLUSION

Claims 1-5 and 24 are pending in this application and are in condition for allowance. Examination and allowance of the claims is respectfully requested. If the Examiner has any questions or concerns, the Examiner is invited to telephone the undersigned at (415) 954-0230.

Date: May 4, 2005

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Respectfully submitted,


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